

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

RACHEL MEACHAM A/K/A
RACHEL V. MEACHAM,

Plaintiff,

EQUIFAX INFORMATION SERVICES
LLC; EXPERIAN INFORMATION
SOLUTIONS, INC.; TRANS UNION LLC
A/KA/ TRANSUNION; AND
COMENITY BANK,

Defendants.

Civil Case No.: 1:24-08143

NOTICE OF REMOVAL

Defendant Comenity Bank (“Comenity”), by and through its counsel, Husch Blackwell LLP, hereby gives notice of the removal of this action from the Supreme Court of the State of New York, County of Queens, pursuant to 28 U.S.C. § 1331, 1441, and 1446.

1. On or about October 21, 2024, Plaintiff Rachel Meachem (“Plaintiff”) commenced this action against Comenity by filing a Complaint in Supreme Court of the State of New York, County of Queens, Index No. 722343/2024. This matter is captioned *Rachel Meachem v. Equifax Information Services, LLC, et al.* True and correct copies of the following documents are attached hereto as Exhibit A: the docket sheet, Summons, Complaint (including exhibits attached thereto), Affidavits of Service, and all remaining documents.

2. Comenity was served with the Complaint on October 23, 2024. (Doc. 3.)

3. Comenity is filing this notice within thirty (30) days of receipt of the Complaint as allowed by 28 U.S.C. § 1446(b).

4. Plaintiff asserts claims against Comenity under the Fair Credit Reporting Act (“FCRA”), 15 U.S.C. § 1681, *et seq.* arising from its alleged inaccurate credit reporting.

5. Pursuant to 28 U.S.C. § 1331, the United States District Courts “have original jurisdiction of all civil actions arising under the Constitution, laws, or treaties of the United States.”

6. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1331 because Plaintiff’s claims are governed by the FCRA, which is a federal law enacted by Congress.

7. In addition to the federal claims, Plaintiff alleges that Comenity violated the New York Fair Credit Reporting Act, NY General Business Law § 380-o, and Defendants Experian Information Solutions, Inc. (“Experian”), Equifax Information Services LLC (“Equifax”), and Trans Union LLC a/k/a TransUnion (“Trans Union”) (collectively, the “CRA Defendants”), violated the New York Fair Credit Reporting Act, NY General Business Law § 380-f and § 380-m. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over Plaintiff’s state law claims because such claims are so related to the federal claims that they form part of the same case or controversy. Specifically, the federal and state law claims in Plaintiff’s Complaint all arise out of the same underlying facts.

8. Based on the foregoing, this Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1367 because it arises under federal law and related state law claims that arise out of the same set of facts.

9. Pursuant to 28 U.S.C. § 1441(a), this case is appropriately removable to federal court.

10. Since the Complaint was originally filed in Queens County Supreme Court, venue is proper in the United States District Court for the Eastern District of New York.

11. Pursuant to 28 U.S.C. § 1446(d), a true and correct copy of this Notice of Removal will be filed with the Supreme Court of the State of New York, County of Queens, simultaneously with the filing in this Court.

12. Pursuant to 28 U.S.C. § 1446(d), a true and correct copy of this Notice of Removal will be served upon Plaintiff's counsel.

13. This Notice of Removal is filed subject to and without waiver of any rights Comenity may have with respect to Plaintiff's claims.

14. To date, counsel for the CRA Defendants have not entered their appearances in this matter. Comenity has requested contact information for counsel for the CRA Defendants from Plaintiff's counsel, who advised that all claims against the CRA Defendants have been resolved and will be discontinued. Accordingly, despite diligent effort, Comenity has not been able to reach a representative of the CRA Defendants to obtain their consent to removal.

WHEREFORE, Comenity respectfully requests that this matter be removed from the Supreme Court of the State of New York, County of Queens to the United States District Court for the Eastern District of New York.

Respectfully submitted,

/s/ Colleen Fox
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Attorney for Defendant Comenity Bank

Dated: November 22, 2024